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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/769,887	01/25/2001	Andrea Bimson	40655.0400	5480
7590	11/01/2005		EXAMINER HUYNH, THU V	
Howard I. Sobelman Snell & Wilmer, L.L.P. One Arizona Center 400 East Van Buren Phoenix, AR 85004-2202			ART UNIT 2178	PAPER NUMBER
DATE MAILED: 11/01/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/769,887

Applicant(s)

BIMSON ET AL.

Examiner

Thu V. Huynh

Art Unit

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 and 14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2178

DETAILED ACTION

1. This action is responsive to communications: amendment filed on 08/18/05 to application filed on 12/25/2001, which has the benefit of prior provisional filed on 01/27/2000.
2. Claims 1 and 14 are amended.
3. Claims 1-6 and 14 are pending in the case. Claims 1 and 14 are independent claims.
4. Rejections in the previous office action have been withdrawn as necessitated by the amendment.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

(b) This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. **Claims 1 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bernardo et al., US 6,684,369 B1, filed 1997, and Dabney et al., US 6,643,663 B1, filed 10/1999, and Gill et al., US 6,052,514, filed 01/1995 as previous provided by examiner "Notice of References cited" mailed on 06/14/05.**

Regarding independent claim 1, Bernardo teaches managing web contents from many web site's companies, including the steps of:

Art Unit: 2178

- receiving, at a content management application, a request to create updated content for a content page within said company website, wherein said updated content comprises data elements (Bernardo, col.7, lines 14-16; col.8, lines 29-35; col.9, lines 48-64; col.10, lines 55-61; receiving a request to create, edit/update a web site, such as editing/updating or adding images, logos, text, graphics, and other object/content in a web page of a company website);
- creating said data elements according to said request (Bernardo, col.3, lines 29-38; col.6, lines 32-56; col.8, lines 1-37; col.9, lines 48-64; col.10, lines 55-61; creating edited/updated content that comprises objects, such as images, logos, text, graphics, etc.);
- storing said each of said data elements as a markup language file in a database, wherein said data elements are decoupled from said content page (Bernardo, fig.1; col.5, line 51 – col.6, line 22; col.9, lines 24-47; col.10, lines 19-32; storing non-HTML objects and html objects respectively so that a user is able request both html object and non-HTML object; each object in the web site contains an associated profile document; changing a company logo in the profile document, resulting automatically update each page of the web site associated with the profile document. This inherently discloses that the logos (objects) must be decoupled from said content page);
- creating an updated content page, wherein said updated content page comprises content mapping data which includes instructions for mapping said data elements to said updated content page (Bernardo, col.6, lines 44-56; col.8, lines 1-12; col.10, lines

Art Unit: 2178

14-16; generating an HTML file comprises content mapping data for incorporating relationships for the updated content page);

- routing said updated content page to a reviewer for approval (Bernardo, col.8, lines 20-27; routing the created/edited web page to a reviewer); and
- publishing said markup language file to said company website upon receiving approval of said updated content from said reviewer (Bernardo, col.9, lines 15-22; col.12, lines 1-10; col.23, lines 20-48).

Bernardo teaches databases 116 and 148 for storing non-HTML objects (elements) and html objects (elements) respectively so that a user is able request both html object and non-HTML object (Bernardo, fig.1; col.5, line 51 – col.6, line 22; col.9, lines 24-47). However, Bernardo does not explicitly disclose each of said data element is individually routed; the updated content page is created when each of said data elements has been authorized; and storing said data elements in a database globally accessible by a reviewer.

Dabney teaches

- storing updated content in a database globally accessible by a reviewer, wherein said updated content is decoupled from said content page (Dabney, col.5, line 63 – col.6, line 34; storing edited content data in a database so that a reviewer is able to review and edit the data before using in a web page).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Dabney into Benardo to store data/objects into a database accessible by a reviewer, since the combination would have allowed the reviewer to review a particular object on a completed web page (Bernardo, col.12, lines 6-10) as well as review the

Art Unit: 2178

particular object or non-web object only (Dabney, col.6, lines 20-32; Bernardo, col.6, lines 15-21).

Gill teaches routing each updated portion of a document to a reviewer and creating an updated content page when each of updated portion has been authorized by the reviewer (Gill, fig.2; col.3, lines 33-45; col.9, lines 3-64; each object areas 208 and 216 is assigned to different users for editing, such as articles or image. Each updated article is stored in a file (212) and routed to the layout designer for reviewing. The layout designer reviews, incorporates all updated articles and sends to a printing system and an archive storage device).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Gill and Bernardo and Dabney to review an updated portion of a document/web page, since the combination would have routed and notified the updated portion for the reviewer to review such portion for approval.

Claim 14 is for a computer readable medium containing instructions for performing the method of claim 1 and is rejected under the same rationale.

7. **Claims 2-3, 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bernardo in view of Dabney and Gill as applied to claim 1 above, and further in view of Livingston, US 6,424,979, filed 1998.**

Regarding dependent claim 2, which are dependent on claim 1, Bernardo does not explicitly disclose said markup language file is in the extensible Markup Language (XML) format.

Art Unit: 2178

Livingston teaches markup language comprise HTML and XML (Livingston, col.12, lines 20-23).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Livingston's markup languages into Bernardo's markup language to create, edit, or update content of a website, since the combination would have facilitated generating markup language process in both popular markup languages: HTML and/or XML.

Regarding dependent claim 3, which are dependent on claim 1, Bernardo teaches retrieving said markup language file from said database (Bernardo, col.23, lines 20-48; retrieving the updated web page from a link to review). However, Bernardo does not explicitly teach translating said markup language file from a first markup language format to a second markup language format for presentation on said company web site.

Livingston teaches translating said markup language file from a first markup language format to a second markup language format for presentation on said company web site (Livingston, col.11, lines 34-36 and col.12, lines 20-23).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Livingston's markup languages into Bernardo's markup language to create, edit, or update content of a website, since the combination would have facilitated generating markup language process in both popular markup languages: HTML and/or XML.

Regarding dependent claim 5, which is dependent on claim 2, Bernardo teaches retrieving said markup language file from said database (Bernardo, col.23, lines 20-48; retrieving the updated web page from a link to review). However, Bernardo does not explicitly teach translating said markup language file from a first markup language format to an HTML format for presentation on said company website upon request by a user of said company.

Livingston teaches translating said markup language file from a first markup language format to an HTML format for presentation on said company website upon request by a user of said company (Livingston, col.11, lines 34-36 and col.12, lines 20-23; translating XML document to pre-selected HTML document).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Livingston's markup languages into Bernardo's markup language to create, edit, or update content of a website, since the combination would have facilitated generating markup language process in both popular markup languages: HTML and/or XML.

8. **Claims 4, 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bernardo in view of Dabney and Gill as explained in claim 1 above, and further in view of Bi et al., US 6,311,178 B1, filed 09/1998 and Branson US 5,877,819, filed 04/1998.**

Regarding dependent claim 4, which is dependent on claim 1, Bernardo does not explicitly teach storing said markup language file includes storing said markup language file in an extensible database that is platform and software independent.

Bi teaches extensible database used to serve client requests (Bi, col.8, lines 45-59).

Art Unit: 2178

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Bi and Bernardo to include an extensible database, since this would have allow the client/user request or queries as Bi disclosed.

However, Bi does not explicitly disclose a database that is platform and software independent.

Branson teaches database that is platform and software independent (Branson, col.28, lines 4-11).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Branson's database into Bi and Bernardo to provide a database that is platform and software independent, since this would allowed to only change the software drivers that control devices that are added or removed from the system as Branson disclosed.

Regarding dependent claim 6, which is dependent on claim 2, Bernardo does not explicitly disclose storing said markup language file includes storing said markup language file in an extensible database that is platform and software independent, wherein said markup language file is an XML file.

Bi teaches extensible database used to serve client requests (Bi, col.8, lines 45-59).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Bi and Dodrill to include an extensible database, since this would have allow the client/user request or queries as Bi disclosed.

Art Unit: 2178

However, Bi does not explicitly disclose a database that is platform and software independent.

Branson teaches database that is platform and software independent (Branson, col.28, lines 4-11).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Branson's database into Bi and Bernardo to provide a database that is platform and software independent, since this would allowed to only change the software drivers that control devices that are added or removed from the system as Branson disclosed.

Response to Arguments

9. Applicant's arguments filed on 04/19/2005 have been fully considered but they are mood in new ground of rejection(s).

Applicants state that "The examiner rejects claims 1 and 14 under 35 U.S.C. § 102(e) as being anticipated by Bernardo et al., ... in view of Dabney et al. ".

Examiner notes that claims 1 and 14 are rejected under 35 U.S.C. § 103(a), not 102(e) as applicants addressed.

Applicants argue that and "neither Bernardo, Dabney, nor a combination thereof, disclose or suggest at least "routing said data elements to said reviewer, wherein each of said data elements is individually routed" and "creating an updated content page when each of said data elements has been authorized"".

Art Unit: 2178

However, the combination of Gill, Dabney and Bernardo teaches such limitation as explained in the rejection above.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Armatis et al., US 6,697,822 B1, filed 06/1999, teaches notifying if certain information in a record changes for reviewing.

Haris et al., US 2001/0013004 A1, filed 11/1998, teaches submit files for reviewing.

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

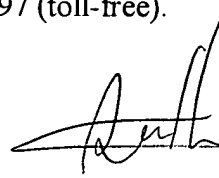
Art Unit: 2178

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu V. Huynh whose telephone number is (571) 272-4126. The examiner can normally be reached on Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen S. Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TVH
October 27, 2005



STEPHEN HONG
SUPERVISORY PATENT EXAMINER